"Improving the quality of life for Aurora"

AURORA CITY COUNCIL MINUTES
Aurora City Hall, Council Chambers
Tuesday, November 24, 2015 at 6:30 p.m.

I. ***CALL TO ORDER:*** Mayor Marks called the meeting to order at 6:30 p.m.

II. ***PLEDGE AND PRAYER:*** Councilman Ramirez led the council in prayer and the Pledge of Allegiance.

III. ***ROLL CALL:*** ***Mayor David L. Marks***
Chairman Pro Tem Rick Boyer
Councilman Steve Ramirez
Councilwoman Linda Barton
Councilwoman Rosemary Henderson

All council members were noted present.

IV. ***APPROVAL OF MINUTES***

Regular Session held on November 10, 2015 at 6:30 p.m.

Councilwoman Barton moved to approve the minutes from the regular session held on November 10, 2015 at 6:30 p.m. Councilwoman Henderson seconded the motion. Motion passed with the following council members voting aye:
AYES: Henderson, Ramirez, Boyer, Marks, Barton
NAYES: 0

V. ***APPROVAL OF APPROPRIATIONS for November***

Chairman Pro Tem Boyer moved to approve the appropriations for November as submitted. Councilman Ramirez seconded the motion. Motion passed with the following council members voting aye:
AYES: Marks. Ramirez, Henderson, Boyer
NAYES: 0
ABSTAIN: Barton (Invoice in the bill list)

VI. ***PUBLIC COMMENT***

None

VII. ***COUNCIL FORUM***

None

VIII. ***OLD BUSINESS***

A. *Approve/ Deny request from City Collector to write off adjustment for 619 Oak Knoll Apartments A,B,C,D*

City Collector, Sherri Woods informed the council that a request had been received from Oak Knoll Apartments for an adjustment on their sewer usage due to a water leak they had experienced. Empire District Electric had granted their adjustment and it had been forwarded to the city for its adjustment. It was explained that this was a normal adjustment that the city did as a courtesy to the customer once Empire granted their adjustment. Once a request has been

received by Empire they have to wait until the next billing and possibly the one thereafter to prove that the leak has been fixed before it is forwarded to the city. It is the normal practice of the city to write off 90 days of a leak. This adjustment is so large because it is for a four apartment units that share one water meter.

Councilman Ramirez moved to approve the collectors request for the adjustment on Oak Knoll Apartments A, B, C, D. Councilwoman Barton seconded the motion. Motion passed with the following council members voting aye:
AYES: Ramirez, Boyer, Barton, Marks
NAYES: Henderson

IX. NEW BUSINESS

A. Resolution No. 2015-1436
A Resolution authorizing the City Manager to execute the Easement from Aurora R-8 for Phase II of the Walking Trails Project

Chairman Pro Tem Boyer moved to approve Resolution No. 2015-1436 accepting an easement from Aurora R-8 for Phase II of the Walking Trails Project. Councilman Ramirez seconded the motion. Motion passed with the following council members voting aye:
AYES: Henderson, Ramirez, Marks, Boyer, Barton
NAYES: 0

B. Resolution No. 2015-1437
A Resolution authorizing the City Manager to execute the Deed from Katherine Huellhorst for Phase II of the Walking Trails Project

Chairman Pro Tem Boyer moved to approve Resolution No. 2015-1437 accepting the deed from Katherine Huellhorst for property on which the Phase II of the Walking Trails Project will be located. Councilman Ramirez seconded the motion. Motion passed with the following council members voting aye:
AYES: Barton, Boyer, Ramirez, Marks, Henderson
NAYES: 0

C. First Reading of Bill No. 2015-3047
An Ordinance of the City of Aurora, Missouri amending Chapter 250 "Junked, Wrecked, Abandoned Property", Article II "Abandoned Property", Section 250.160 "Parking and Storage of Motor Vehicles which are not in Operating Condition" to the Municipal Code of Ordinances

This ordinance comes to council with a positive recommendation from Planning and Zoning.

Chairman Pro Tem Boyer moved to approve the first reading of Bill No. 2014-3047. Councilwoman Henderson seconded the motion. Motion passed with the following council members voting aye:
AYES: Barton, Henderson, Ramirez, Marks, Boyer
NAYES: 0

D. Second and Final Reading of Bill No. 2015-3047 making Ordinance No. 2015-3047

An Ordinance of the City of Aurora, Missouri amending Chapter 250 "Junked, Wrecked, Abandoned Property", Article II "Abandoned Property", Section 250.160 "Parking and Storage of Motor Vehicles which are not in Operating Condition" to the Municipal Code of Ordinances

Chairman Pro Tem Boyer moved to approve the second and final reading of Bill No. 2015-3047. This bill will now be known as Ordinance No. 2015-3047. Councilwoman Barton seconded the motion. Motion passed with the following council members voting aye:
AYES: Boyer, Henderson, Marks, Ramirez, Barton
NAYES: 0

E. *First Reading of Bill No. 2015-3048*
An Ordinance of the City of Aurora, Missouri amending the Personnel Policy (Chapter 130) by adding Section 130.310 "Call Out"

This policy was formulated by present practice of the city. This practice has been in place for years but was never formulated into policy. This ordinance will formulate the practice into code. The City Attorney has reviewed the ordinance and is approving its form and content.

The city will pay two hours of call back time for any employee that is called back to duty after their normal working hours. Fire Department personnel will receive 1 hour and Police Department personnel will receive actual hours as close to a minimum of 1 hour as possible.

City Manager Randall is not recommending any additional call back pay for employees at his time. Fair Labor Standards provides guidance and case law on the matter. Department Heads will have to be reasonable in their expectations for employees moving forward. Regulations are clear you have to allow employees to live their lives. They have to have the freedom to go to a movie or to dinner with their families. The basic premises is that regulations cannot be so restrictive that is inhibits their lives. They have to be able to use their free time as they normally would. If you are too restrictive you will be responsible for paying back wages and time and a half.

City Manager Randall stated that Orvil Maples, Wastewater Superintendent asked what if his employee was watching a movie and he needed to call them out what would happen. City Manager Randall stated he would he would have to allow them to be able to finish watching the movie. Orvil would need to have a rotation schedule in place so he could call the next man out.

Councilman Ramirez was concerned that he did not want anyone being penalized. The general consensus of council was that the policy was fair and coworkers should be willing to cover for one another when necessary.

Councilman Ramirez moved to approve the first reading of Bill No. 2015-3048. Councilwoman Barton seconded the motion. Motion passed with the following council members voting aye:
AYES: Marks, Ramirez, Barton, Boyer, Henderson
NAYES: 0

F. *First Reading of Bill No. 2015-3049*
An Ordinance of the City of Aurora, Missouri approving and adopting the 2016 Fiscal Year Budget

Councilman Ramirez was not in favor of passing the budget when two departments were deficit spending for three years in a row. He felt council needed to be better stewards of city funds and was against passing the budget that way.

City Manager Randall explained that in the past funding for paving has been received from STP funding which gives you more bang for the buck. This year's budget is still spending the same amount for paving but without receiving money from STP funding. Council will probably want to consider not spending any money next year to build up reserves. The bulk of funds coming from this department is from salaries and benefits.

The Wastewater Fund spent $250,000 this year out of reserve for the Bar Screen Grant which has greatly reduced its reserve. A rate study is ongoing with results anticipated before year end. It is expected that it will show the city is not charging enough for its services.

Councilwoman Henderson moved to approve the first reading of Bill No. 2015-3049. Councilwoman Barton seconded the motion. Motion passed with the following council members voting aye:
AYES: Barton, Henderson, Boyer
NAYES: Marks, Ramirez

G. *Resolution No. 2015-1438*
A Resolution of the City of Aurora authorizing the City Manager to execute the temporary easement from Katherine Hullehorst on Phase II of the Walking Trails Project.

Chairman Pro Tem Boyer moved to approve Resolution No. 2015-1438 accepting the temporary easement from Katherine Huellhorst on Phase II of the Walking Trails Project. Councilman Ramirez seconded the motion. Motion passed with the following council members voting aye:
AYES: Henderson, Ramirez, Marks, Boyer, Barton
NAYES: 0

X. *REPORTS*

A. *Board Liaison Reports*

None

B. *City Attorney Report*

The last court session was the largest ever and the next session in December is claiming to be even larger.

C. City Manager Report

City Manager Randall reported that Christmas decorations were going up. A problem was encountered after a MoDOT contractor was working this summer it was apparent they had unhooked a street light and had hooked their generator into the light for power. MoDOT had the light put back together however there is a problem now that the Christmas lights will not come on. Some of the wiring must have not been installed properly. Linco Electric will be called in to fix the problem. Council asked for MoDOT to reimburse the city for any expense it incurs for this problem.

XI. CLOSED SESSION pursuant to 610.021 (2)

Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor

Councilwoman Barton moved to go into Closed Session pursuant to 610.021 (2). Time noted 7:12 p.m. Councilwoman Henderson seconded the motion. Motion passed by a roll call vote with the following council members voting aye:
AYES: Ramirez, Henderson, Barton, Boyer, Marks
NAYES: 0

Chairman Pro Tem Boyer moved to come back into Open Session. Time noted 7:35 p.m. Councilwoman Henderson seconded the motion. Motion passed by a roll call vote with the following council members voting aye:
AYES: Henderson, Marks, Ramirez, Boyer, Barton
NAYES: 0

XII. ADJOURNMENT

Chairman Pro Tem Boyer moved to adjourn the meeting at 7:36 p.m. Councilwoman Henderson seconded the motion. Motion passed with all members voting aye.

APPROVED:

David L. Marks, Mayor

ATTEST:

Kathie Needham, City Clerk, MMC/MPCC